

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants - Labour Employment Training and Factories Department – Case under Prevention of Corruption Act, 1988 (Central Act No.49 of 1988) against Sri Shaik Rabbani, Junior Assistant (now under suspension), Office of the Assistant Labour Officer, Kothagudem of Bhadradi-Kothagudem District - Trapped on 22.01.2021 – Sanction for prosecution – Revised Orders – Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (EMP.-VIG) DEPARTMENT

G.O.Ms.No. 35

Dated: 25-11-2021.

Read:

G.O.Ms.No.32, Labour Employment Training & Factories (Emp.-Vig) Department, dated.25.10.2021.

ORDER:

Whereas, Sri Shaik Rabbani, S/o Sri Sk.Mahaboob, 50 years, Junior Assistant (now under suspension), Office of the Assistant Labour Officer, Kothagudem worked as Junior Assistant at the Office of the Assistant Labour Officer, Kothagudem from 01.01.2016 to 22.01.2021 and by virtue of the post held by him, he falls under the category of Public Servants as defined under Section 2(c) of the Prevention of Corruption Act, 1988 (Central Act No.49 of 1988).

2. And, Whereas, Smt. Kothapally Rajitha, W/o Late Venkateshwarlu @ Venkatesh, 32 years, r/o Sampathnagar (v), Tekulapally (m), of Bhadradi-Kothagudem district eking her livelihood by doing coolie work.

3. And, Whereas, Smt. Kothapally Rajitha, on 19.01.2021 at 0900 hours, went to Anti Corruption Bureau office and lodged a complaint stating that her husband Sri Kothapalli Venkateshwarlu @ Venkatesh used to work as Mason, and had also registered himself with the Labour department. On 20.08.2020, her husband went to attend nature's call and accidentally fell into the Pamuleru stream and was washed away. Her father-in-law and other relatives searched for her husband for two days, but, as his whereabouts could not be traced, they lodged a complaint at Mulakalapalli Police Station, and a case was registered in this regard. After 15 days, the police informed her and their relatives that her husband's dead body was traced. After completion of panchnama and post mortem, the dead body was handed over to them, and they performed the cremation. About two months prior to her complaining to Anti Corruption Bureau, she along with her brother-in-law Sri Kota Venkateshwarlu went to the Office of the Assistant Labour Officer, Kothagudem and handed over the death certificate and other documents to Sri Shaik Rabbani, Junior Assistant for sanction of insurance amount. Sri Shaik Rabbani demanded her to pay bribe of Rs.30,000/- as initial payment to start the work in the online and Rs.80,000/- after the insurance amount was sanctioned. Expressing her inability to pay such a huge amount, she and her brother-in-law returned from there. Again, after one month, when she along with her brother-in-law went to Office of the Assistant Labour Officer, Bhadradi-Kothagudem and enquired Sri Shaik Rabbani about the status of her application, Sri Shaik Rabbani, reiterating his earlier demand, stated that the work would not progress unless the bribe was paid. But, she was not interested in getting her work done by paying the bribe amount. As such, she lodged a complaint at Anti Corruption Bureau office, requesting to take necessary action against Sri Shaik Rabbani, Junior Assistant who demanded bribe from her.

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4. On 19.01.2021, Smt. K.Rajitha along with her brother-in-law Sri Kota Venkateswarlu met Sri Sk. Rabbani, Junior Assistant at Office of the Assistant Labour Officer, Bhadradi-Kothadudem and requested him that they could not pay the initial amount of Rs.30,000/- and could pay Rs.10,000/- to 15,000/- initially, to which Sri Shaik Rabbani agreed. The entire transaction was recorded by the brother-in-law of Smt.K.Rajitha with the help of a spy gadget, which was provided by the Anti Corruption Bureau officials.

5. And, Whereas, after observing all the formalities, a case in Crime No.01/ACB-KMM/2021 U/s 7 (a) of Prevention of Corruption Act, 1988 (Central Act No.49 of 1988) was registered at 08:45 hours on 22.01.2021 by the Deputy Superintendent of Police, Anti Corruption Bureau, Warangal Range against Sri Shaik Rabbani, S/o Sri Sk.Mahaboob, 50 years, Junior Assistant, Office of the Assistant Labour Officer, Kothagudem of Bhadradi-Kothagudem district and arrangements were made for laying a trap.

6. And whereas, it is alleged that on 22.01.2021 at 1400 hrs Sri Shaik Rabbani, Junior Assistant, demanded and accepted bribe of Rs.15,000/- in the Office of the Assistant Labour Officer, Kothagudem from Smt. Kothapally Rajitha, "to start processing her application in the online and to get the Insurance amount pertaining to the death of her husband sanctioned." He accepted the bribe amount with his right hand, and kept the same in the left side drawer of his office table with his left hand. The Phenolphthalein test conducted on his both hands fingers yielded positive result and the tainted amount of Rs.15,000/- was recovered from the left side drawer of his office table in the presence of the mediators. The inner surface (contact portion) of left side drawer of his office table also yielded positive result in the chemical test. The Deputy Superintendent of Police, Anti Corruption Bureau, Warangal seized the tainted currency notes, relevant documents of Smt. K.Rajitha at the instance of Sri Shaik Rabbani. The Deputy Superintendent of Police also collected copy of posting orders as Junior Assistant of Sri Shaik Rabbani in the office of Assistant Labour Officer, Kothagudem and Attendance registers for the months of November & December-2020 and January-2021 from the Office of the Assistant Labour Officer, Kothagudem.

7. And whereas, the above said acts of Sri Shaik Rabbani, Junior Assistant, Office of the Assistant Labour Officer, Kothagudem constitute an offence punishable under clause (a) of section (7) of the Prevention of Corruption Act, 1988 (Central Act No.49 of 1988).

8. And whereas, Government of Telangana being the competent Authority to remove Sri Shaik Rabbani, S/o Sk. Mahaboob, Junior Assistant, Office of the Assistant Labour Officer, Kothagudem from the service, after fully and carefully examining the material i.e., copy of First Information Report, Mediators Report – I & II, Oral Evidence and Documentary Evidence including official favour file and Final Report of Director General, Anti-Corruption Bureau, Telangana placed before Government in respect of the said allegations and having regard to the circumstances of the case, consider that, Sri Shaik Rabbani, S/o Sk. Mahaboob, Junior Assistant, Office of the Assistant Labour Officer, Kothagudem should be prosecuted in a court of law, for the aforesaid offences.

9. Now therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act No.49 of 1988), and in supersession of the orders issued in G.O.Ms.No.32, Labour Employment Training & Factories (Emp.-Vig) Department, dated.25.10.2021, the Government of Telangana hereby accord sanction for the prosecution of Sri Shaik Rabbani, S/o Sk.Mahaboob, Junior Assistant, Office of the Assistant Labour Officer, Kothagudem of Bhadradi-Kothagudem District for the above said offence punishable under clause (a) of section 7 of the Prevention

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of Corruption Act, 1988 (Central Act No.49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

(I. RANI KUMUDINI)
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director General, Anti Corruption Bureau, Telangana, Hyderabad.
Law (B) Department.
Sc/Sf